



WEB COPY

W.P.No.5029 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5029 of 2023

and

W.M.P.No.5056 of 2023

1.Mrs.Uma Rani

2. Mrs.A.Susila

3. Mr.K.Chinnaraj

4. Mr.K.Chinnadurai

... Petitioners

Vs.

1.The District Registrar (Administration),
Office of the District Registrar of Registration,
Vellore.

2. The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Vellore.

3. Mr.P.Ravi

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to the impugned order in letter No.5239/Aa1/2022 dated 10.01.2023 thereby confirming the order of the first respondent in No.3570/E3/2022 dated 12.10.2022 and quash the same and consequently directing the respondents 1 and 2 herein to restore the partition deed dated 08.11.2021 registered as document No.9839 of 2021 at SRO Katpadi.

For Petitioners	: Mr.M.Ramalingam
For R1 & R2	: Mr.G.Krishna Raja Additional Government Pleader
For R3	: Mr.D.Nagesh Babu

ORDER

The writ petition has been instituted to call for the records of the second respondent relating to the impugned order in letter No.5239/Aa1/2022 dated 10.01.2023 thereby confirming the order of the first respondent in No.3570/E3/2022 dated 12.10.2022 and quash the same and consequently directing the respondents 1 and 2 herein to restore the partition deed dated 08.11.2021 registered as document No.9839 of 2021 at SRO



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2. The 3rd respondent filed a complaint based on the circular issued by the Inspector General of Registration No.67 dated 31.07.2018. It is not in dispute that the said circular has been withdrawn by the Inspector General of Registration and subsequently, the amendment was made under the provisions of the Registration Act.

3. In view of the subsequent amendment and on account of cancellation of the circular No.67, the order impugned passed by the respondents becomes invalid and therefore, the parties have to approach the Civil Court for the purpose of resolving the disputes.

4. In view of the above facts, the order impugned passed by the 2nd respondent letter No.5239/Aa1/2022 dated 10.01.2023 and confirming the order of the first respondent in No.3570/E3/2022 dated 12.10.2022 are quashed. The parties are at liberty to approach the competent civil Court of Law for the redressal of their grievances in the manner known to law.



5. Accordingly, this Writ Petition stands allowed. No costs.

Consequently, connected Miscellaneous Petition is closed.

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Index : Yes

Speaking order

Neutral Citation : Yes

To

- 1.The District Registrar (Administration),
Office of the District Registrar of Registration,
Vellore.
2. The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Vellore.



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S.M.SUBRAMANIAM, J.

Jeni

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